

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In re: <b>CRAWLEY, DWAYNE ERIC</b>	)	Case No. _____
<b>CRAWLEY, GLORIA ANN</b>	)	
<b>aka Gloria Lee Crawley</b>	)	
<b>1043 Apple Blossom Lane</b>	)	Chapter 13
<b>Burlington, NC 27215</b>	)	
	)	
SS# xxx-xx- <b>5920</b>	)	
SS# xxx-xx- <b>8768</b>	)	
Debtor(s)	)	

**NOTICE TO CREDITORS AND PROPOSED PLAN**

The Debtor(s) filed for relief under Chapter 13 of the United States Bankruptcy Code on **November 13, 2014**.

The filing automatically stays collection and other actions against the Debtor, Debtor's property and certain co-debtors. If you attempt to collect a debt or take other action in violation of the bankruptcy stay you may be penalized.

Official notice will be sent to creditors, which will provide the name and address of the Trustee, the date and time of the meeting of creditors, and the deadline for objecting to the plan. The official notice will include a proof of claim form.

A creditor must timely file a proof of claim with the Trustee in order to receive distributions under the plan. The Trustee will mail payments to the address provided on the proof of claim unless the creditor provides another address in writing for payments. If the claim is subsequently assigned or transferred, the Trustee will continue to remit payment to the original creditor until a formal notice of assignment or transfer is filed with the Court.

## CHAPTER 13 PLAN SUMMARY

The Debtor proposes an initial plan, which is subject to modification, as follows:

### I. Plan Payments

The plan proposes a payment of **\$ 1,300.00** per month for a period of **36** months. The Debtor shall commence payments to the Trustee within thirty (30) days from the date the petition was filed; **provided, however, that the first two (2) monthly payments (for December, 2014 and January, 2015) shall be \$1,000.00 each and the \$1,300.00 per month payments shall begin with February, 2015 going forward.**

### II. Administrative Costs

#### 1. Attorney fees.

☒ The Attorney for the Debtor will be paid the base fee of \$3,700.00. The Attorney has received **\$ 500** from the Debtor pre-petition and the remainder of the base fee will be paid monthly by the Trustee as funds are available, after scheduled monthly payments to holders of domestic support obligations and allowed secured claims.

☐ The Attorney for the Debtor will file application for approval of a fee in lieu of the presumptive fee.

**2. Trustee costs.** The Trustee will receive from all disbursements such amount as approved by the Court for payment of fees and expenses.

### III. Priority Claims

All pre-petition claims entitled to priority under 11 U.S.C. ' 507 will be paid in full in deferred cash payments unless otherwise indicated.

#### 1. Domestic Support Obligations (aDSO@)

a. ☒ None

b. The name, address, and phone number, including area code, of the holder of any DSO as defined in ' 101(14A) is as follows:

Name of DSO Claimant	Address, city & state	Zip code	Telephone number

- c. All **post-petition** DSO amounts will be paid directly by the Debtor to the holder of the claim and not by the Trustee.
- d. Arrearages owed to DSO claimants under 11 U.S.C. § 507(a)(1)(A) not presently paid through wage garnishment will be paid by the Trustee as follows:

Name of DSO Claimant	Estimated Arrearage Claim	Monthly Payment
		\$
		\$
		\$

## 2. Other priority claims to be paid by Trustee

Creditor	Estimated Priority Claim
IRS	\$ 1,210.00
NC Dept. Of Revenue	\$ 204.00

## IV. Secured Claims

### 1. Real Property Secured Claims

- a. ☐ None
- b. All payments on any claim secured by real property will be paid by the Trustee unless the account is current, in which case the Debtor may elect to continue making mortgage payments directly. Arrearage claims will be paid by the Trustee as separate secured claims over the term of the plan, without interest.

Creditor	Property Address	Residence or Non-Residence R/NR	Current Y/N	Monthly Payment	Arrearage Amount	If Current Indicate Payment by Debtor (D) or Trustee (T)
Ocwen Loan Servicing, LLC	1043 Apple Blossom Ln., Burlington, NC	R	N	\$ 779.13	\$6,233.85	T
				\$	\$	
				\$	\$	

## 2. Personal Property Secured Claims

- a. ☐ None
- b. Claims secured by personal property will be paid by the Trustee as follows:

Creditor	Collateral	Secured Amount	Purchase Money Y/N	Under-secured Amount	Pre-confirmation adequate protection payment per ' 1326(a)(1)	Post-confirmation Equal Monthly Amount (EMA)	Proposed Interest Rate
Nicholas Financial, Inc.	2001 Ford Expedition	\$ 2,985.00	Y	\$ 1,259.00	\$ 29.85	\$ 120.00	Till %
Mariner Finance, LLC	1993 Dodge Dakota	\$ 978.00	N	\$ 1,664.67	\$ 0.00	\$ 30.00	Till %
		\$		\$	\$	\$	%

**NOTE:** Secured claim to Nicholas Financial, Inc. will be paid in full upon filing claim as a 910-claim.

**NOTE:** Debtors propose to “cram-down” the claim to Mariner Finance, LLC and pay only the secured portion of said claim.

The Trustee will disburse pre-confirmation adequate protection payments to secured creditors holding allowed purchase money secured claims. Claims having a collateral value of less than \$2,000.00 will not receive adequate protection payments.

***To the extent that the valuation provisions of 11 U.S.C. ' 506 do not apply to any of the claims listed above, the creditor's failure to object to confirmation of the proposed plan shall constitute the creditor's acceptance of the treatment of its claim as proposed, pursuant to 11 U.S.C. ' 1325(a)(5)(A).***

## 3. Collateral to be Released

The Debtor proposes to release the following collateral:

Creditor	Collateral to be Released
None	

#### 4. Liens to be Avoided

The Debtor pursuant to 11 U.S.C. '522 proposes to avoid the following liens on property to the extent that such liens impair the Debtor's exemption:

Lien Creditor	Property
None	

#### V. Co-Debtor Claims

The Debtor proposes to separately classify for payment in full the following claims for consumer debts on which an individual is liable with the Debtor:

Creditor	Co-Debtor	Interest Rate	Monthly Payment
None		%	\$
		%	\$
		%	\$

#### VI. General Unsecured Claims Not Separately Classified

General unsecured claims will be paid on a pro-rata basis, with payments to commence after priority unsecured claims are paid in full. The estimated dividend to general unsecured claims is -0-%.

#### VII. Executory Contracts/Leases

a. ☒ None

b. The following executory contracts and/or leases will be rejected:

Creditor	Nature of lease or contract

c. The following executory contract and/or leases will be assumed. The Debtor will pay directly all lease payments which come due from the petition filing date until confirmation of the plan. Upon confirmation, payments will be paid as follows:

Creditor	Nature of Lease or Contract	Monthly payment	Monthly payment paid by Debtor (D) or Trustee (T)	Arrearage Amount	Arrearage paid by Debtor (D) or Trustee (T)	Arrearage monthly payment
		\$		\$		\$
		\$		\$		\$
		\$		\$		\$

### VIII. Special Provisions

a. ☒ None

b. Other classes of unsecured claims and treatment

\_\_\_\_\_

\_\_\_\_\_

c. Other Special Terms

\_\_\_\_\_

\_\_\_\_\_

Date: November 13, 2014

/s/Daniel L. Hawkins

Attorney for Debtors

Address: P.O. Box 1379  
Graham, NC 27253

Telephone 336-226-1008

State Bar No: 10358

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA**

In Re:		)	
	Dwayne Eric Crawley	)	<b>NOTICE TO CREDITORS AND PROPOSED PLAN</b>
	Gloria Ann Crawley	)	
		)	
		)	
SS#	<u>xxx-xx-5920</u>	)	
SS#	<u>xxx-xx-8768</u>	)	
	Debtor(s)	)	Case No. _____

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of the Notice to Creditors and Proposed Plan was served by first class mail, postage prepaid, to the following parties at their respective addresses:

**Reid Wilcox  
Clerk of Court  
U.S. Bankruptcy Court  
Middle District of North Carolina  
P.O. Box 26100  
Greensboro, NC 27402**

**Anita Jo Kinlaw Troxler  
Chapter 13 Trustee  
Greensboro Division  
Post Office Box 1720  
Greensboro, NC 27402-1720**

**Alamance County Tax Collector  
124 West Elm Street  
Graham, NC 27253**

**Alamance Regional Medical Ctr.  
P. O. Box 203  
Burlington, NC 27216-0203**

**AT&T  
P. O. Box 5083  
Carol Stream, IL 60197-5083**

**Burlington Radiological Associates  
P. O. Box 3169  
Indianapolis, IN 46206**

**Burlington Surgical Associates, P.A.  
1236 Huffman Mill Road, Suite 1500  
Burlington, NC 27215**

**Cone Health Systems  
P. O. Box 26580  
Greensboro, NC 27415-6580**

**Credit Collection Services  
P. O. Box 9136  
Needham, MA 02494-9133**

Duke Univ. Health Physicians  
Attn: Correspondence  
5213 S. Alston Avenue  
Durham, NC 27713

Duke University Health Systems  
Attn: Correspondence  
5213 S. Alston Avenue  
Durham, NC 27713

Eldon Specialities, Inc.  
821 E. Parker Street  
Graham, NC 27253

Employment Security Commission  
P. O. Box 25903  
Raleigh, NC 27611

Enhanced Recovery Co.  
P.O. Box 57547  
Jacksonville, FL 32241

FirstPoint Collection Resources, Inc.  
P. O. Box 26140  
Greensboro, NC 27402-6140

Franklin Collection Service  
2978 W. Jackson Street  
Tupelo, MS 38803

GM Financial  
P. O. Box 181145  
Arlington, TX 76096-1145

Healthshare Credit Union  
1200 N. Elm Street  
Greensboro, NC 27401

Internal Revenue Service  
P. O. Box 7346  
Philadelphia, PA 19101-7346

Lab Corp of America  
P. O. Box 2240  
Burlington, NC 27216-2240

Mariner Finance, LLC  
1803 S. Church Street  
Burlington, NC 27215

Nicholas Financial, Inc.  
2454 McMullen Booth Rd.  
Bldg. C, Suite 501-B  
Clearwater, FL 33759-1353

Nicholas Financial, Inc.  
275 E. Parris Ave., Ste. 102  
High Point, NC 27262-7726

North Carolina Dept. of Revenue  
Bankruptcy Unit  
P. O. Box 1168  
Raleigh, NC 27602-1168



Ocwen Loan Servicing, LLC  
Customer Service Dept.  
P. O. Box 24738  
West Palm Beach, FL 33416-4738

Online Collections  
P.O. Box 1489  
Winterville, NC 28590

Optimum Outcomes, Inc.  
2651 Warrenton Road, Suite 500  
Downers Grove, IL 60515

Receivables Performance  
20816 44th Ave. West  
Lynnwood, WA 98036

Security Financial Service  
P.O. Box 3146  
Spartanburg, SC 29304

Sprint Nextel  
Attn: Bankruptcy Dept.  
P. O. Box 7979  
Overland Park, KS 66207-0949

Stern & Associates, P.A.  
415 N. Edgeworth Street, Suite 210  
Greensboro, NC 27401-2182

Time Warner Cable  
Attn: Managing Agent  
P. O. Box 35867  
Greensboro, NC 27425

WebBank/Fingerhut  
6250 Ridgewood Rd.  
Saint Cloud, MN 56303

Date: November 13, 2014

/s/ Daniel L Hawkins

Daniel L Hawkins 10358